

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/17/2022

LINK MOTION, INC.,

Plaintiff,

- against -

DLA PIPER LLP (US) and CARYN
SCHECHTMAN,

Defendants.

22 Civ. 8313 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

The Court has reviewed the letters filed by plaintiff Link Motion, Inc. ("LKM"), requesting a stay of this action which it filed in the related securities action Baliga v. Link Motion, Inc. (see No. 18 Civ. 11642, Dkt. No. 336) as well as defendants DLA Piper LLP (US) and Caryn Schechtman's (together "DLA Piper") response (see Dkt. No. 8). LKM's request to stay these proceedings is **DENIED**.

The Court also takes this occasion to clarify its October 7, 2022 Decision and Order, issued in Baliga. (See "Baliga Order," No. 18 Civ. 11642, Dkt. No. 365.) The Baliga Order declined to find the Board's September 2022 vote authorizing this malpractice lawsuit – although violating orders the Court issued in Baliga – was a nullity. (Id. at 11.) The Baliga Order also prohibited the LKM Board only from "convening and voting" on taking any new actions not directed

by the court-appointed receiver. (Id. at 12.) As a result, this case may proceed, and the Baliga Order does not require LKM to voluntarily dismiss its case. DLA Piper has filed a pre-motion letter regarding its intention to file a motion to dismiss. (See Dkt. No. 7.) Under this Court's Individual Rules of Practice Section II.B.1, LKM "shall respond by similar letter within seven calendar days, with a copy to the Court."

SO ORDERED.

Dated: 17 October 2022
New York, New York

A handwritten signature in blue ink, appearing to read 'VM', is written above a horizontal line.

Victor Marrero
U.S.D.J.